



STATE OF WASHINGTON  
APPLICATION TO ENTER A WATER RIGHT INTO  
THE TRUST WATER RIGHT PROGRAM

NOTE: THIS FORM IS ONLY TO BE USED FOR THE  
ACQUISITION OF WATER INTO THE TRUST WATER RIGHT PROGRAM

(Check all that apply.)

- ☒ Lease  
☐ Purchase  
☐ Donation  
☐ Other

Explain: 5-Year Lease \_\_\_\_\_

- ☒ Portion of the identified existing water right

IF FOR SEASONAL OR TEMPORARY, START DATE 8/1/2011  
END DATE 2/29/2016

FOR OFFICE USE ONLY

FILE No. CS4-003535b2e1 WRIA 39  
DATE ACCEPTED 08/24/2011 BY [Signature]  
FEE \$ 0 REC'D 08/08/2011  
CHECK No. [Signature]  
SEPA: ☐ Exempt ☐ Not exempt

\*\*IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)\*\*

1. Applicant Information:

APPLICANT/BUSINESS NAME <b>Lund, Ritter, Juris (Mervos), Snyder (Mervos), Agostenelli (Mervos) and Wallick Dave Lund, Representative</b>	PHONE NO. <b>(509) 925-4650</b>	FAX NO. ( )
ADDRESS 210 Lund Lane		
CITY Cle Elum,	STATE WA	ZIP CODE 98922

CONTACT NAME (IF DIFFERENT FROM ABOVE) <b>Aaron Penvose, Trout Unlimited</b>	PHONE NO. <b>(509) 888-0970</b>	FAX NO. <b>(509) 888-4352</b>
ADDRESS 103 Palouse, Suite 14		
CITY Wenatchee	STATE WA	ZIP CODE 98801

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER Court Claim #: 00353	RECORDED NAME(S) Lund, Mervos, Ritter and Wallick
DO YOU OWN THE RIGHT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

COURT CLAIM 00353  
SUB 2 ERTSTON  
06-30-1887

CFR-54-83027-J

FOR OFFICE USE ONLY

WATER RIGHT NO. \_\_\_\_\_ FILE (contract) NO. \_\_\_\_\_



3. How is Water to be Made Available for Trust?

<input type="checkbox"/> Alteration in method of diversion	<input type="checkbox"/> Alteration in water use/ irrigated acreage
<input type="checkbox"/> Alteration in method of delivery/conveyance	<input type="checkbox"/> Nonuse of one or more points of diversion
<input checked="" type="checkbox"/> Alteration in method of water application	<input checked="" type="checkbox"/> Nonuse of all or a portion of the named water right
<input type="checkbox"/> Alteration in type of crop	<input type="checkbox"/> Other, Explain below:
Name of funding source(s): National Fish and Wildlife Foundation and Washington Department of Ecology	

WATER RIGHT DESCRIPTION \*

4. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Big Creek		SW	SE	29	20N	14EWM		

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

5. Purpose of Use:

A. Existing Use of the Water Right

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	1.6	384	Annually May 1 – Sept. 1
Stock Water	0.767	344.23	Sept. 2 – Nov. 15
	1.09	489.19	Nov. 16 – Feb. 29

B. Proposed Purpose of the Trust Water Right:

DESCRIBE THE PURPOSE(S) OF USE DURING THE PERIOD OF TRUST:	
PURPOSE OF USE	ACRE-FEET/YR
<b>Instream Flow</b> <u>Source:</u> Big Creek  <u>Purpose of Use:</u> Instream flow  <u>Period of Use:</u> August 1 – February 29 <sup>th</sup> each year until February 29, 2016  <u>Instant. Quantity:</u> 0.301 cfs August 1- September 1 2011-2013 0.227cfs September 2 - November 15th, 2011-2013 0.301 cfs November 16th - February 28, 2011-2013  0.728 cfs August 1- September 1 2014-2015 0.501 cfs September 2 - November 15th, 2014-2015 0.728 cfs November 16th-February 28/29, 2014-2016  <u>Annual Quantity:</u> 19.01 August 1- September 1, 2011-2013  46.13 August 1- September 1, 2014-2015  <u>Place of Use:</u> In Big Creek, from Big Creek Water User's Diversion to confluence with Yakima River	

\* If additional space is needed, please continue on the form: Attachment for Application to Enter a Water Right into the Trust Water Right Program.



## 6. Place of Use:

### A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
Those portions of the S1/2NW1/4 and the NE1/4SW1/4 of Section 28, T. 20 N., R. 28 E.W.M. lying north of the KRD canal; EXCEPT the NE1/4SE1/4NW1/4 and EXCEPT those portions of the SE1/4SW1/4NW1/4 and the NE1/4NW1/4SW1/4 lying southeast of the private road connecting the canal bridge crossing the Nelson Siding Road.							
1/4	1/4	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
NE	SW	28	20 N	20 EWM	Kittitas		80
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:							

## 6. Place of Use (continued)

### B. Proposed:

IDENTIFY THE WATER BODY TO BE BENEFITED OR OTHER PLACE TO BE BENEFITED
Big Creek, tributary to the Yakima River, Kittitas County, Washington

## 7. Remarks and Other Relevant Information:

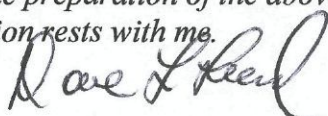
This Trust Application seeks to effectuate an acquisition of the water right to be used exclusively for fish maintenance and enhancement, recreational uses and preservation of environmental and aesthetic values as allowed under RCW Chapters 90.03, 90.42 and 90.58. This lease offers biological benefits and addresses limiting factors for fish species. Therefore, we request expedited processing under WAC 173-152-050(2)(b) and (3)(a).
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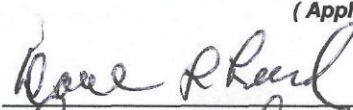
Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

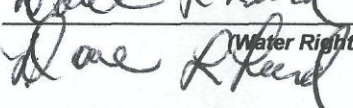
Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

## 8. Signatures:

*I certify that the information above is true and accurate to the best of my knowledge. I hereby grant staff from the Department of Ecology access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.*

  
 \_\_\_\_\_ Representative for all Applicants 7/26/11  
 (Applicants) (Date)

  
 \_\_\_\_\_ Representative for all Applicants 7/26/11  
 (Water Right Holder) (Date)

  
 \_\_\_\_\_ Representative for all Applicants 7/26/11  
 (Land Owner(s) of Existing Place of Use) (Date)

**IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.**

<b>WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):</b>	
<input type="checkbox"/> ADDITIONAL SIGNATURES REQUIRED	<input type="checkbox"/> SECTION _____ IS INCOMPLETE
<input type="checkbox"/> OTHER/EXPLANATION: _____	
STAFF: _____	DATE: ____/____/____